

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  AREA CODE 515 RELIEF PLAN	DOCKET NO. SPU-99-22
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**ORDER DOCKETING PROPOSAL AND SETTING PROCEDURAL SCHEDULE**

(Issued October 1, 1999)

**INTRODUCTION AND SUMMARY**

On July 23, 1999, the North American Numbering Plan Administrator (NANPA) filed a recommendation for area code number exhaustion relief for the 515 area code. The recommendation was filed on behalf of the Iowa telephone industry in the affected area. NANPA currently projects the 515 area code will run out of central office codes during the second quarter of 2001. The industry recommends the Utilities Board (Board) adopt a new overlay area code on the entire 515 area code to provide additional central office codes. Each existing customer would retain their existing area code and telephone number; a certain number of existing 515 NXX codes would be set aside for new telephone service providers; and all calls placed within the 515 area code, including local calls, would have to be dialed using at least ten digits.

NANPA filed the recommendation with the Board pursuant to 47 C.F.R. § 52.19(a), which delegates responsibility to the Board to determine the most

appropriate form of relief when an Iowa area code is near exhaustion. Any Board action must be consistent with the applicable federal guidelines.

The Board will use a notice-and-comment proceeding to seek public input on the issues relating to area code relief. The Board will also conduct a series of combined public information/customer comment meetings to seek additional input from affected customers. All of the information received in this docket will be considered by the Board in its determination of the appropriate form of relief for the 515 area code.

## **BACKGROUND**

The present system of telephone area codes was established in 1947, when the North American Numbering Plan (NANP) was established. At that time, Iowa was assigned three area codes:<sup>1</sup> 319, 515, and 712. Each area code is divided into a number of central offices, or rate centers.<sup>2</sup> Each rate center is assigned one or more central office codes (also known as "NXX" codes or prefixes), which are the first three digits of a typical seven-digit telephone number. Central office codes are used by some carriers, especially the wireline carriers, for call routing and billing purposes. Once an NXX code is assigned to a particular central office, carriers are able to base their charges for long distance telephone calls on the distance between the rate center from which the call originates and the rate center

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<sup>1</sup> Area codes are more properly known as Numbering Plan Areas, or NPAs.

<sup>2</sup> The 515 area code has 329 rate centers.

where the call terminates. Thus, NXX codes are an integral part of addressing calls, routing them through the telephone network, and billing for them.

Each central office code, or prefix, represents about 10,000 possible telephone numbers. There are 792 central office codes available for use in each area code. (Prefixes beginning with 0 or 1, or ending with 11, are not issued to the public.) Currently, each company providing local exchange service is assigned at least one entire prefix for each rate center it wants to serve. As a result, telephone numbers are assigned in blocks of 10,000.

The three area codes assigned to Iowa in 1947 have served the state for over 50 years, but the recent increase in demand for telephone numbers now threatens to exhaust the available central office codes.<sup>3</sup> New telecommunications devices, such as pagers, fax machines, Internet connections, and cellular telephones, have accelerated the demand for telephone numbers. As a result of this increased demand, more and more central office codes have been assigned in the 515 area code, so that it is now projected that 515 will run out of central office codes early in 2001.

When an area code is running out of prefixes, there are a limited number of relief options available. The two major options are split and overlay.<sup>4</sup> In a

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<sup>3</sup> As of June 1, 1999, the 515 area code had 125 central office codes available for assignment. NANPA forecasts that these central office codes will be assigned at a rate of approximately 43 per year, meaning the remaining codes will all be assigned by the second quarter of 2001.

<sup>4</sup> Area code boundary realignment is a third option, but is usually rejected because it would require changing the 7-digit telephone numbers for a potentially large group of customers.

geographic split, one part of the affected area keeps the old area code while the rest of the area receives a new area code. This means that approximately one-half of the existing customers have to change to a new area code, requiring re-printing of business stationary and related materials, re-programming of automatic dialers, and other disruptions. In an overlay, a new area code is added within the same territory as the existing area code; the new code and the old code serve the same area simultaneously. Under this system, no existing customer has to change their telephone number, but the regulations of the Federal Communications Commission (FCC) require that everyone use 10-digit dialing to make all of their local calls, rather than the 7-digit dialing that now prevails. 47 C.F.R. § 52.19(c)(3)(ii). This also requires re-programming of automatic dialing devices and similar disruptions.

NANPA monitors the allocation of prefixes in each area code. When it appears an area code is going to run out of central office codes, NANPA initiates a relief process. The first step is a meeting of industry representatives, at which any technical issues can be discussed. This meeting results in a consensus telephone industry recommendation that is filed with the state agency with regulatory jurisdiction over the area code; for the 515 area code, that agency is the Board. Pursuant to that process, NANPA filed its July 22, 1999, petition with the Board, conveying the industry recommendation in favor of the overlay option, with a permissive implementation date of June 1, 2000, and mandatory 10-digit dialing beginning on November 1, 2000.

## **JURISDICTION**

The federal Communications Act of 1934, as amended by the Telecommunications Act of 1996, gives the FCC plenary jurisdiction over numbering issues that pertain to the United States. 47 U.S.C. § 251(e)(1). The statute permits the FCC to delegate all or a portion of its jurisdiction to state public utility regulatory bodies such as the Board.

The FCC exercised its authority to delegate to state agencies when it adopted 47 C.F.R. § 52.19(a), which provides:

State commissions may resolve matters involving the introduction of new area codes within their states. Such matters may include, but are not limited to: Directing whether area code relief will take the form of a geographic split, an overlay area code, or a boundary realignment; establishing new area code boundaries; establishing necessary dates for the implementation of area code relief plans; and directing public education and notification efforts regarding area code changes.

However, any state action pursuant to this delegated authority must be "consistent with the guidelines enumerated in this part." See 47 C.F.R. § 52.19(b).

## **CUSTOMER COMMENT MEETINGS/PUBLIC INFORMATION MEETINGS**

The Board is scheduling four meetings in the 515 area code to conduct public information sessions and to receive comment from the general public. One purpose of the meetings is to educate the interested public about the process the Board will be using and the options available to the Board. The meetings will also

provide an opportunity for general public comment regarding the issues before the Board. The meeting sites will be in Mason City, Fort Dodge, Osceola, and Des Moines. The meetings will be recorded to provide an accurate record for the agency.

Each meeting will start with a presentation by the Board or its staff describing the national area code process, the causes of number exhaust, the range of possible solutions, and an overview of the procedures the Board will be using in this docket. Handouts summarizing the presentation will be provided to the attending public, as well.

After the presentation, the public will be invited to submit comments on the telephone industry recommendation and any other options. Commentors will not be sworn or subject to cross-examination, although they may be informally questioned to clarify their views. Depending upon the level of interest, it may be necessary to set reasonable time limits on the comments submitted by each individual; that is a determination that will have to be made at each site, based upon the number of people indicating a desire to comment.

In order to encourage public participation in this process, the Board will issue a press release describing the meetings and inviting the public to attend.

### **NOTICE AND COMMENT PROCEEDING**

A separate, more formal notice and comment proceeding will be scheduled to receive comment from the telephone industry, the Consumer Advocate Division

of the Department of Justice, and any other interested persons who may have views on the issues that require more time for presentation. The Board expects such interested persons will include, among others, alarm companies, commercial telephone customers, and any others who believe they may be particularly affected by area code relief. All of these parties are encouraged to submit their comments through this more formal mechanism, because extensive specialized submissions at the public comment meetings could unduly extend the meetings or unfairly limit the time available for individual comments.

The Board is inviting written statements regarding all aspects of area code relief, but it is particularly interested in comments from customers regarding the costs and benefits of different forms of area code relief. The Board also expects to receive comment from the telephone industry regarding the best form of public education campaign available to inform customers of the changes that must be made.

This more formal part of the docket will be conducted with sworn, written comments and reply comments, followed by a hearing at which each commentor can expand on the key points in their written comments and respond to questions from the Board and from other participants. This proceeding will be open to the public and transcribed for the agency record. Witnesses will be sworn in and made available for cross-examination. All participants will be provided an opportunity to file briefs addressing any legal issues that may arise.

Following the notice and comment proceeding, the Board will decide on a number relief alternative and an implementation schedule that will implement the selected relief measure before the 515 area code is in jeopardy or exhausted.

### **ORDERING CLAUSES**

#### **IT IS THEREFORE ORDERED:**

1. The "Petition Of The North American Numbering Plan Administrator On Behalf Of The Iowa Telecommunications Industry" filed on July 22, 1999, is docketed as Docket No. SPU-99-22.

2. The following procedural schedule is established:

a. Public education and customer comment meetings will be held beginning at 7 pm at each of the following dates and locations:

(1) October 20, 1999, Mason City High School cafeteria,  
1700 4<sup>th</sup> Street S.E., Mason City, Iowa.

(2) October 21, 1999, Phillips Middle School Auditorium,  
1015 5<sup>th</sup> Avenue North, Fort Dodge, Iowa.

(3) October 27, 1999, Clark Community Elementary School  
cafeteria, 420 East Jefferson, Osceola, Iowa.

(4) October 28, 1999, Wallace State Office Building  
auditorium, 502 East 9<sup>th</sup> Street, Des Moines, Iowa.

All public education and comment hearings will begin with a presentation by the Board or its staff describing the national area code process, the causes of



number exhaust, the range of possible solutions, and the procedures the Board will be using in this docket. The presentation will be followed by an opportunity for customer comment. Individual comment time may be limited if necessary to provide all interested persons with an opportunity to comment within the available meeting time.

b. Any interested person may file a petition to intervene on or before October 18, 1999.

c. Any interested person may file, on or before November 8, 1999, a statement of position concerning 515 area code relief. Statements of position must substantially comply with IOWA ADMIN. CODE 199-2.2(2). Ten copies must be filed with the original. All written statements should clearly state the author's name and address and should make specific reference to Docket No. SPU-99-22.

d. Any person filing a statement of position may file a counterstatement replying to the comments of other participants no later than November 30, 1999. Ten copies must be filed with the original and copies must be served upon all participants filing statements to which the counterstatement responds. Counterstatements must substantially comply with IOWA ADMIN. CODE 199-2.2(3).

e. All statements and counterstatements shall be sworn and directed to the Executive Secretary, Iowa Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

f. An oral presentation is scheduled for the purpose of taking sworn testimony concerning the statements and counterstatements. The oral presentation shall be held December 14, 1999, beginning at 10 a.m. in the Board's hearing room at 350 Maple Street, Des Moines, Iowa. All persons filing written statements should have at least one witness available at the oral presentation who may be cross-examined on the subject matter of the written statement. (Written statements that are not supported by a witness will be considered by the Board, but may be accorded less weight in the Board's deliberations.) Cross-examination may be by the Board, the Consumer Advocate Division of the Department of Justice, and other participants as the Board may deem appropriate to develop the record fully. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

g. Any person filing a statement of position or participation at the oral presentation may submit a brief legal argument, substantially complying with the requirements of IOWA ADMIN. CODE 199-7.7(12), no later than December 22, 1999.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary, Deputy

/s/ Diane Munns

Dated at Des Moines, Iowa, this 1st day of October, 1999.